



28 October 2024

Filed online

Marc Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Dear Secretary General,

Re: *Demande en vertu de la partie 1 déposée par l'Association des professionnels de l'édition musicale ("APEM") afin que le Conseil recueille et rendre public des données à propos de l'écoute ainsi que la mise en valeur et la recommandation de musique en ligne au Canada, Part 1 Application 2024-0491-1 (Montréal, 27 August 2024)*

The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including broadcasting. The Forum supports a strong Canadian communications system that serves the public interest as defined by Parliament in the 1991 *Broadcasting Act*.

The Forum's intervention in support of the above-noted Part 1 application by the Association des professionnels de l'édition musicale (APEM) is attached.

FRPC looks forward to reviewing the applicant's reply if any. Should the CRTC decide to hold an appearing public hearing in this matter the Forum respectfully asks to participate in that proceeding.

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**Demande en vertu de la partie 1 déposée par
l'Association des professionnels de l'édition musicale ("APEM")
afin que le Conseil recueille et rendre public des données
à propos de l'écoute ainsi que la mise en valeur
et la recommandation de musique en ligne au Canada,
Part 1 Application 2024-0491-1
(Montréal, 27 August 2024)**

Intervention of the Forum for Research and Policy in Communications (FRPC)

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28 October 2024

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Executive Summary

- ES 1 The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013. It undertakes research, legal analysis and quantitative research about communications, including broadcasting. FRPC believes that the public interest is served when the broadcasting system meets Parliament’s objectives as set out in section 3 of the 1991 *Broadcasting Act*, to which significant amendments were made in April 2023.
- ES 2 At the end of August 2024 APEM submitted an application asking that, before Winter 2024, the CRTC collect and publish quarterly data describing the tuning to, the discoverability of and the showcasing of online music streamed in Canada. APEM represents Québec and francophone publishers in Canada and has the support with respect to this application of ADISQ, ANIM, Artisti, FCCF, GMMQ, SOCAN, SOPROQ, SPACQ-AE and UDA.
- ES 3 FRPC supports APEM’s application due the absence of up-to-date empirical information about Francophone musical selections broadcast by online – and any other – broadcasting service. While the CRTC devoted \$316,000 to ‘enriching metadata used in the CRTC musical database’ in March 2024, for example, the results of this enrichment are unknown. The CRTC states that “over 400 datasets” from its Communications Market Reports are available from the federal governments Open Data system. Of these, 76 deal with audio, online services and/or radio. The most recent information in these datasets is from 2022, and for no stated reason the period covered by the data tables ranges considerably – from one to 14 years (with one in ten tables encompassing four or fewer years). Data describing advertising, use of devices, financial support for Canadian content and ownership are provided for radio and audio, but not for online services. None of the information in the CRTC’s 400+ datasets touches on either discoverability or showcasing.
- ES 4 APEM asked that the CRTC begin collecting data with respect to discoverability and showcasing in Fall 2024; FRPC notes that Fall 2024 ends officially on 21 December 2024, leaving just over 40 calendar days for the CRTC to make, write and publish its determination in this proceeding.
- ES 5 FRPC notes that APEM proposed that the CRTC gather information about Canadian, Francophone and non-Canadian musical selections, arguing that online streaming services have or could with reasonable effort obtain information to identify Canadian and Francophone musical selections.
- ES 6 Currently neither the *Broadcasting Act*, the CRTC’s radio regulations nor its commercial radio policy defines either Francophone or non-Canadian musical selections. The statute, the CRTC’s regulations and its policy refer instead to the French language, either as the counterpart to the English language or as the language in which a radio station is licensed to operate.
- ES 7 The fact that defining a Francophone musical selection may be a complicated endeavour does not prevent the CRTC from defining such a selection – solely on a temporary or interim basis – in terms of the predominant language used in a selection. In the case of instrumental music,

the CRTC may decide – again, solely on a temporary basis – to rely on the requirement in its radio regulations: that the music be composed entirely by a Canadian. Similarly, the fact that the CRTC may in its as-yet announced Canadian-content consultations ultimately change its definition of ‘Canadian content’ to address Parliament’s new legislative requirements need not and should not prevent the CRTC from relying during this interim period on its existing definitions and measures.

FRPC’s recommendations - summary

1. The CRTC should grant APEM’s Part 1 application to provide all parties with a common understanding of the evidence available with respect to Parliament’s broadcasting policy for Canada and the concepts of discoverability and showcasing.
2. To promote regulatory agility the CRTC should begin publishing data about the broadcast of musical selections every three months.
3. To save all parties time and in the interest of clarity, the CRTC should improve how it indexes the data it publishes.
4. To reduce disparities of access to information relevant to the CRTC’s *Regulatory modernization* proceedings, the CRTC should convene a meeting of parties including broadcasters, industry associations, unions and guilds, public-interest organizations and academics to discuss the evidence and data needed and available for the modernization consultations.
5. Beginning in 2025 the CRTC should hold annual meetings of interested parties to review the information gathered and published by the CRTC, along with any limitations affecting its reliability and scope.
6. The CRTC should expedite and issue its determination to adjourn, approve in part, approve in whole or to deny APEM’s application before 20 December 2024.
7. If the Commission grants APEM’s application the CRTC should, in light of the absence of a clear definition of “Francophone” in the *Broadcasting Act*, the CRTC’s radio regulations and the current commercial radio policy, and as an interim and temporary measure, define whether a musical selection is ‘Francophone’, ‘Anglophone’ or ‘Other’ by using the predominant language used in the case of a musical selection with lyrics, and by using the nationality of an instrumental musical selection’s composer(s).

I. Introduction

- 1 The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including broadcasting and telecommunications. The Forum supports a strong Canadian communications system that serves the public interest as defined by Parliament in its communications-related statutes
- 2 The Forum is intervening in support of the Part 1 application by the Association des professionnels de l'édition musicale (APEM) which asks the CRTC beginning in Fall 2024, to collect and publish as quickly as possible quarterly data that describe the listening to, discoverability of and showcasing of recommendations about online music streamed in Canada.¹

II. APEM's Application

- 3 APEM represents Québec and francophone publishers in Canada.² With the support of ADISQ, ANIM, Artisti, FCCF, GMMQ, SOCAN, SOPROQ, SPACQ-AE and UDA,³ APEM asks that the CRTC 'collect and publish data from the main online services about listening, showcasing and discoverability',⁴ new concepts added to the 1991 *Broadcasting Act* by the enactment of the *Online Streaming Act* on 27 April 2023:⁵

<i>Broadcasting Act</i> , as am. (22 June 2023)	
English-language version	French-language version
9.1 (1) The Commission may, in furtherance of its objects, make orders imposing conditions on the carrying on of broadcasting undertakings that the Commission considers appropriate for the implementation of the broadcasting policy set out in subsection 3(1), including conditions respecting ... (e) the presentation of programs and programming services for selection by the public, including the showcasing and the discoverability of Canadian programs and programming services, such as original French language programs;	9.1 (1) Le Conseil peut, dans l'exécution de sa mission, prendre des ordonnances imposant des conditions — pour l'exploitation des entreprises de radiodiffusion — qu'il estime indiquées pour la mise en œuvre de la politique canadienne de radiodiffusion, notamment des conditions concernant : ... e) la présentation des émissions et des services de programmation que peut sélectionner le public, y compris la mise en valeur et la découvrabilité des émissions canadiennes et des services de programmation canadiens, notamment les émissions de langue originale française;

¹ Part 1 Application 2024-0491-1 (Montréal, 27 August 2024) [Application], ¶¶6, 36 and 59-60.

² Application, ¶¶1 and 5.

³ Application, ¶4.

⁴ Application, ¶2: "... l'APEM dépose la présente demande afin que le Conseil recueille et rende public des données en provenance des principaux services de diffusion continue en ligne à propos de l'écoute, de la mise eligible news business valeur et de la recommandation de pièces musicales."

⁵ LegisInfo, [Bill C-11](#), 44th Parl., 1st Sess.

4 More specifically, APEM asks the CRTC to gather and to publish quarterly snapshots of music broadcast online based on specific categories and characteristics, as follows:⁶

Categories	Characteristic
<ul style="list-style-type: none"> • Top 10,000 selections most listened to in Canada • Top 5,000 Canadian selections • Top 5,000 “Francophone” selections • Top 5,000 non-Canadian selections 	<ul style="list-style-type: none"> • International Standard Recording Code (ISRC) • Rank • Title • Artist • Publication date • Source of listening • Impressions

5 APEM notes that the data now available about these categories and characteristics, such as those provided by SOCAN and the Observatoire de la culture et des communications du Québec (OCCQ), provide insufficient detail describing the level of listening online to Canadian music⁷ and that overall very few published data describe the showcasing and discoverability of Canadian and non-Canadian music.⁸

6 APEM argues that the CRTC’s publishing of the information it is requesting for online broadcasting services whose gross revenues exceed \$25 million per broadcast year⁹ would enable all parties in the music sector to participate fully in the modernization of broadcasting.¹⁰ Publishing these data would correct the current inequity in accessing data that are relevant to the public interest: while online services have access to many data, other parties struggle or are unable to obtain information needed for the purposes of analysis and evaluation.¹¹

7 APEM adds that the CRTC should take steps to ensure the reliability of the data it collects¹² and that aggregation of the data could protect the confidentiality of data provided by individual parties.¹³

8 APEM asks that the CRTC exercise its pre- and post-2023 powers under the *Broadcasting Act* to grant APEM’s request.¹⁴ It argues that granting APEM’s request would be consistent with Parliament’s changes to the 1991 *Broadcasting Act*, the Governor-in-Council’s [November 2023 Direction to the CRTC](#) and the CRTC’s planned consultations currently set out in its [Regulatory plan to modernize Canada’s broadcasting framework](#). (The CRTC first issued its *Regulatory Plan* on 8 May 2023 and, as shown in Appendix 1, has amended it 17 times since then.)

6 Application, ¶16.
 7 Application, ¶17.
 8 Application, ¶18.
 9 Application, ¶29.
 10 Application, ¶17.
 11 Application, ¶17.
 12 Application, ¶26.
 13 Application, ¶33.
 14 Application, ¶18.

9 Finally, APEM – whose 27 August 2024 application was only posted by the CRTC two months later on 28 October 2024¹⁵ – recommends that the Commission begin data-collection in Autumn 2024 for use by all interested parties in Spring 2025.¹⁶ As the CRTC says that it does not have data showing the dates when individual broadcasting applications are filed and when these are published by the CRTC (see Appendix 2), it is therefore unknown whether the 2-month period between the date APEM filed its application and the CRTC published it for comment is less than, equal to or more than the average time the CRTC takes to publish non-broadcaster applications.

III. FRPC's comments on APEM's application

10 FRPC agrees with APEM that the CRTC's publication of data regarding online music would establish a common base of understanding for those taking part in the process of modernizing the current regulatory framework for broadcasting,¹⁷ strengthen the quality of evidence before the CRTC and provide all parties with evidence on which they may rely when making submissions to the Commission.¹⁸

A. CRTC data and database access contracts

11 The CRTC may already have some data meeting the applicant's requirements. The CRTC's reports on contracts valued at more than \$10,000 shows that in March 2024 it commissioned "Data and database access services" regarding the "ENRICHMENT OF METADATA USED IN THE CRTC MUSICAL DATABASE" as well as "Consumer Insights":

Quansic SARL	
Total Value:	\$316,000.00
Contract Date:	Mar 21, 2024
Original Value:	\$316,000.00
Work Description:	Data and database access services
Instrument Type:	Contract

¹⁵ In contrast to, for instance, the CRTC's publication of Telecom Part 1 application 8663-A182-201800467 (being an "Application to disable on-line access to piracy sites") which Asian Television Network International Limited submitted on 29 January 2018 (DM##3055832 – APP – ATN – FairPlay Canada 2018-01-29 EN.doc") and which the CRTC published on [30 January 2018](#). In September 2024 the CRTC said it did not have any datasets showing the dates when it receives broadcasting applications, the dates when it publishes the applications and whether it has issued a decision about the individual applications: Appendix 2.

¹⁶ Application, ¶136.

¹⁷ Application, ¶17.

¹⁸ Application, ¶¶30-31:

... Les discussions sur ces sujets sont trop souvent basées sur des comptes-rendus d'anecdotes, des opinions formulées sans référence objective ou précise, ou des rapports incomplets ou insuffisants. Les services de diffusion continue en ligne détiennent de vastes données de qualité, car elles sont à la source même de ces données. Les autres parties prenantes n'ont accès qu'à une portion de ces données, les empêchant d'avoir une analyse complète de la situation, ce qui est clairement inéquitable. Pour construire des positions éclairées et proposer des approches réglementaires utiles, toutes les parties prenantes doivent avoir accès à certains renseignements.

La disponibilité des données constituera la fondation d'une compréhension commune des enjeux. Cela facilitera les discussions entre les différentes parties prenantes et le Conseil, aidera à la mise sur pied de solutions acceptables pour tous et permettra l'atteinte des objectifs de la Politique canadienne de radiodiffusion.

Commodity Type: Service
Additional Comments: ENRICHMENT OF METADATA USED IN THE CRTC MUSICAL DATABASE
Organization: Canadian Radio-television and Telecommunications Commission
https://search.open.canada.ca/contracts/?sort=score+desc&search_text=crtc&page=1&year=2024

STATISTA INC

Total Value: \$34,072.06
Contract Date: Mar 4, 2024
Original Value: \$34,072.06
Work Description: Data and database access services
Instrument Type: Contract
Commodity Type: Service
Additional Comments: Statista Inc. platform to access Consumer Insights and AskStatista
Organization: Canadian Radio-television and Telecommunications Commission
https://search.open.canada.ca/contracts/?sort=score+desc&search_text=crtc&page=2&year=2024#

- 12 It is unclear whether or where the CRTC has published any data it obtained through these or other contracts whose descriptions do not clearly describe research related to audio programming. If the CRTC currently has relevant information with respect to discoverability and showcasing, it should publish it at its earliest convenience.

B. CRTC's published data on 'audio', 'online' and/or 'radio'

- 13 The CRTC's website advises users that it has "over 400 datasets" from its Communications Market Reports:

CRTC, "[Communications Market Reports - Open Data](#)"

We have over 400 datasets from the CMR that are available on Open Data, which contain data from 2013 (or earlier). The table below has links to the Excel workbooks which contain all of the datasets related to the CMR.

This data is generated from the following sources:

Annual telecommunications, broadcasting, digital media, facilities and pricing data collection surveys
Statistics Canada [=>links to STatscan Home Page]
Innovation Science and Economic Development Canada (ISED)
Media Technology Monitor (MTM)
Omdia (English only)
Numeris

- 14 FRPC reviewed the datasets currently published by the CRTC via the federal government's OpenData system, searching for data with information touching on "audio", "online" and "radio". Our searches resulted in a total list of 110 datasets (Appendix 3). When duplicate tables – the same table appearing in two or more of the lists of data for audio, online or radio – were removed, 76 unique datasets remained (Appendix 4).

- 15 More broadly, a breakdown by FRPC of the topics described by the data shows that among 9 general subjects, only 3 topics are addressed for audio, online and radio services: financial, structure and tuning: Table 1.

Table 1 General subjects of 76 CRTC datasets related to audio, online and radio

Filter: "audio", "radio" or "online"							
Topic	Radio	Radio & Audio	Radio & Audio & Online	Audio	Online	Audio & Online	Total
1. Advertising	1						1
2. Behaviour - device use						2	2
3. Financial	19	2	1	1	5		28
4. Financial support (Canadian content)	4	7					11
5. Ownership		1					1
6. Structure	5	8			1		14
7. Subscription					2		2
8. Tuning	1	9	2	1	3		16
9. Tuning to news					1		1
Total: 76 tables	30	27	3	2	12	2	76

- 16 The period of time covered by the individual 76 tables also varies considerably, from one to fourteen years, for no stated reason. Just over half of the tables (44 or 51.3%) cover 7 or more years: Table 2.

Table 2 Period of years covered by CRTC's "audio", "online" and/or "radio" tables

Years covered	Number of tables	% of total	Cumulative percent
1	1	1.3%	
2	1	1.3%	2.6%
3	2	2.6%	5.3%
4	6	7.9%	13.2%
5	11	14.5%	27.6%
6	11	14.5%	42.1%
7	7	9.2%	51.3%
8	9	11.8%	63.2%
9	10	13.2%	76.3%
10	10	13.2%	89.5%
11	5	6.6%	96.1%
12	1	1.3%	97.4%
13	0	0.0%	97.4%
14	2	2.6%	100.0%
All tables	76	100.0%	

- 17 For all but one of the tables¹⁹ the most recent data (at the time of this writing, late October 2024) are from 2022, and the oldest data are from 2009 (Tab B-T40 - contributions to Canadian content): Appendix 4. On 21 October 2024, though, the CRTC’s Chairperson and Chief Executive Officer told a conference of the International Institute of Communications – Canadian Chapter that the Commission needs “to keep a sharp focus on delivering on our mandate today” it also needs “to be thinking about what tomorrow could look like.”²⁰ It is difficult to see how evidence-based regulators can know that they are delivering on their mandate today if the data on which the regulator bases its decisions are – as of October 2024 – already two years old. Therefore, **FRPC supports APEM’s proposal that the CRTC begin to collect and publish data on a quarterly rather than on an annual basis.**
- 18 Moreover – and over a year after Parliament enacted the *Online Streaming Act* – none of the OpenData tables of the CRTC describes discoverability or showcasing data. The tuning data tables do not address levels of music broadcast (see Table 3, below), while searches for ‘discoverability’ and ‘showcasing’ yielded no results (see Figures 1 and 2, next page).

Table 3 Tables concerning tuning data

General subject: Tuning		Data begin in						
Tab	Title	2012	2013	2014	2015	2016	2017	2018
B-T15	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+					1		
B-T19	Radio tuning (millions of hours) in home vs. out of home					1		
RD-T1	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+		1					
RD-T10	Average weekly hours of radio tuned per capita by age group for all Canada		1					
RD-T11	Radio tuning share (%) in an average week for French- and English-language AM and FM stations		1					
RD-T12	Average weekly hours tuned (per listener, total)		1					
RD-T13	Tuning (millions of hours) and tuning share (%) achieved by the largest French-language private commercial radio operators in Canada in an average week				1			
RD-T14	Tuning (millions of hours) and tuning share (%) achieved by the largest English-language private commercial radio operators in Canada in an average week				1			
RD-T15	Radio tuning (%) by station type in diary markets							1
RD-T2	Listening habits (%) for Canadians 18+ by language and platform, any given month						1	
RD-T27	Radio tuning (millions of hours) in home vs. out of home					1		
RD-T29	Average weekly hours spent streaming audio content, 18+						1	
TV-T2	Percentage of Canadians 18+ who viewed television and Internet-based video services and programming in the past month, by language and platform							1

¹⁹ M-F3: Distribution of communications revenues in 2019.

²⁰ CRTC Chairperson and Chief Executive Officer, [Regulating for today, preparing for tomorrow](#), Speech (Ottawa, 21 October 2024).

General subject: Tuning		Data begin in						
Tab	Title	2012	2013	2014	2015	2016	2017	2018
U-T3	Percentage of Canadians 18+ who watched television exclusively online, nationally and by language	1						
U-T4	Percentage of Canadians 18+ who watched television exclusively online, by age group			1				
Subtotal: 15 tables (of which 7 begin in 2016 or later)		1	4	1	2	3	2	2

Figure 1 OpenData – CRTC datasets – none on ‘discoverability’

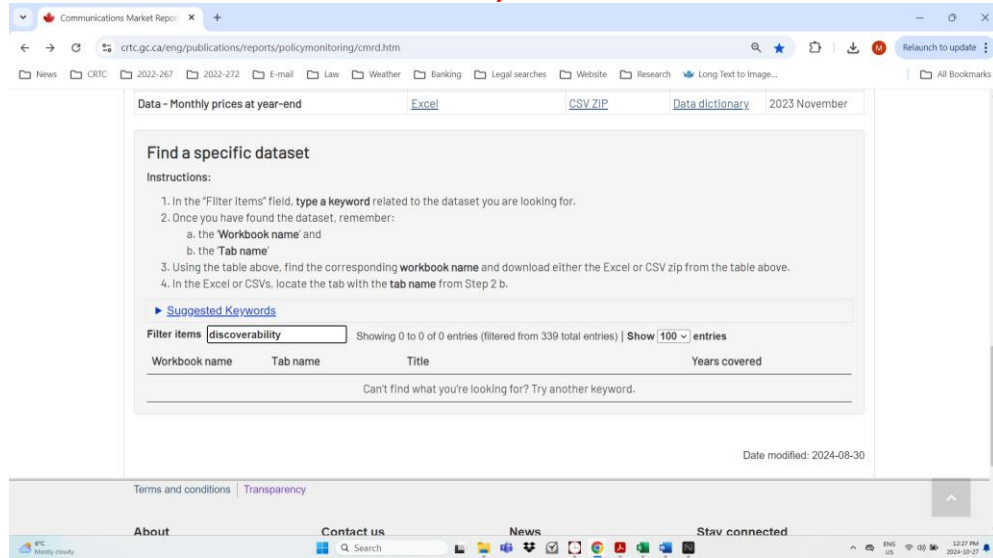
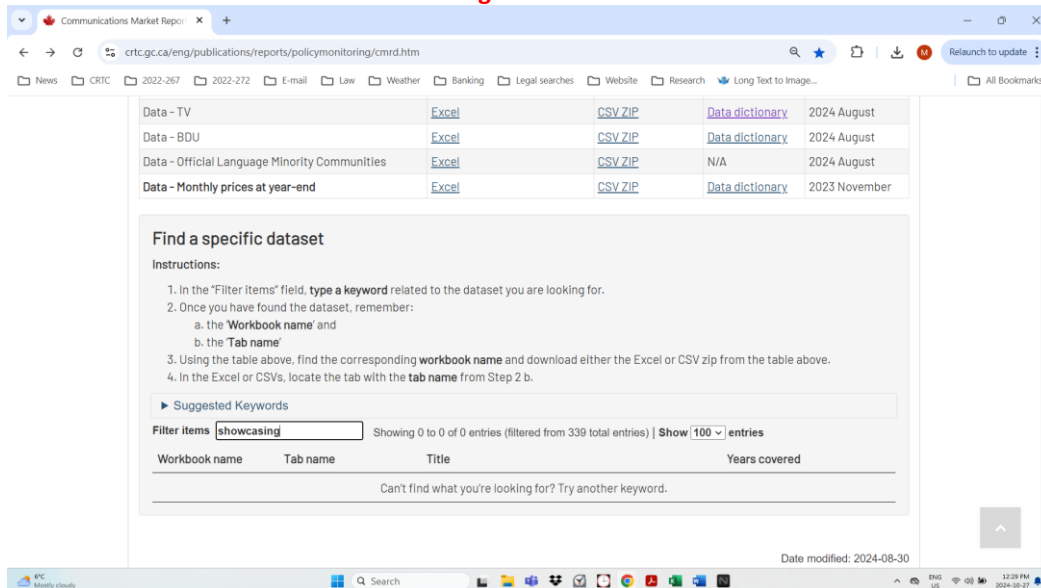


Figure 2 OpenData – CRTC datasets – none on showcasing



19 It may be that the CRTC is already publishing relevant information, but that it is difficult to find. In the case of weekly hours of tuning, for instance, Tab B-T15 sets out “average weekly hours of tuning” to traditional and online services while a different table (Tab RD-T29) reports “average weekly hours spent streaming audio content”: Table 4. In response to this, **FRPC recommends that the CRTC revise its approach to indexing the data it publishes, and that it hold annual**

meetings of interested parties to explain what new information the CRTC is gathering and publishing along with any limitations with respect to reliability and scope.

Table 4 Finding information about audio, online or radio tuning

Topic: 'tuning' to audio, online or radio services					
Filters used: Audio, Online or Radio	Tab name	Table Title	Audio	Online	Radio
Audio	B-T46	Average Weekly Hours per Week (in millions) spent watching traditional and DMBU audiovisual services	X		
Online	TV-T2	Percentage of Canadians 18+ who viewed television and Internet-based video services and programming in the past month, by language and platform		X	
	U-T3	Percentage of Canadians 18+ who watched television exclusively online, nationally and by language		X	
	U-T4	Percentage of Canadians 18+ who watched television exclusively online, by age group		X	
Radio	B-T19	Radio tuning (millions of hours) in home vs. out of home			X
Radio & Audio	B-T15	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+	X		X
	RD-T10	Average weekly hours of radio tuned per capita by age group for all Canada	X		X
	RD-T11	Radio tuning share (%) in an average week for French- and English-language AM and FM stations	X		X
	RD-T12	Average weekly hours tuned (per listener, total)	X		X
	RD-T13	Tuning (millions of hours) and tuning share (%) achieved by the largest French-language private commercial radio operators in Canada in an average week	X		X
	RD-T14	Tuning (millions of hours) and tuning share (%) achieved by the largest English-language private commercial radio operators in Canada in an average week	X		X
	RD-T15	Radio tuning (%) by station type in diary markets	X		X
	RD-T27	Radio tuning (millions of hours) in home vs. out of home	X		X
	RD-T29	Average weekly hours spent streaming audio content, 18+	X		X
Radio & Audio & Online	RD-T1	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+	X	X	X
	RD-T2	Listening habits (%) for Canadians 18+ by language and platform, any given month	X	X	X

20 The overarching problem addressed by the applicant is that the CRTC's data-collection system needs to be updated to adequately meet Parliament's requirements of the Commission. As

previously noted, FRPC supports APEM's specific request in Application 2024-0491-1. As it has previously requested, **FRPC asks that the Commission convene a meeting of parties including broadcasters, industry associations, unions and guilds, public-interest organizations and academics to discuss the evidence and data needed and available for the CRTC's broadcasting consultations, and that it hold similar annual meetings beginning in 2025.**

C. *Timing of CRTC's decision*

- 21 As noted previously, APEM submitted its Part 1 application to the CRTC on 27 August 2024. The CRTC published the application for comment on 26 September 2024. In Canada, the fall season began on 22 September 2024 and will end on 21 December 2024.²¹ While we strongly agree with APEM's proposal that the CRTC begin collecting data before 21 December, FRPC is concerned that the 2-month delay between APEM's submission of its application and the Commission's publication of the application for comment may delay the collection of data proposed by APEM.
- 22 Bearing in mind the CRTC's exclusion of the period from 21 December to 7 January from computations of time,²² **FRPC asks that the Commission expedite its decision on this application.**

D. *Clarification of terminology and scope*

- 23 APEM proposed that the Commission collect information about musical selections broadcast and heard in Canada every three months, including information about "pieces musicales" "canadiennes", "francophones" and "non-canadiennes", arguing that online streaming services 'have or could with reasonable efforts obtain information permitting them to identify Canadian and francophone musical selections as defined by the Commission'.²³
- 24 While the CRTC has defined the characteristics of Canadian musical selections, APEM did not specifically state that the Commission has defined either "Francophone" and "non-Canadian" musical selections (although the argument might be made that a musical selection that does not meet the CRTC's current criteria for being 'Canadian' is therefore non-Canadian).
- 25 Neither the *Broadcasting Act*, the *Radio Regulations, 1986* nor the *2022 Commercial Radio Policy* defines "Francophone" or non-Canadian music. Insofar as 'Francophone' is concerned, the *Broadcasting Act* refers to "the full recognition and use of both English and French in Canadian

²¹ National Research Council, "Certifications, evaluations and standards: Canada's official time", [3. When do the seasons start?](#), [accessed 27 October 2024]: "Fall starts at the moment when the sun is directly over the equator, going from north to south: the 'autumnal equinox'"; "Winter starts at the moment when the sun is farthest south: the 'winter solstice'".

²² *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, s. 12(1)(c):
12 (1) Sections 26 to 29 of the Interpretation Act apply to the computation of a time period set out in these Rules or a decision, notice of consultation, regulatory policy or information bulletin, except that
...
(c) the period beginning on December 21 in one year and ending on January 7 in the following year must not be included in the computation of a time period.

²³ Application, ¶157: "[l]es services de diffusion continue en ligne disposent des renseignements qui leur permettent d'identifier les pièces musicales canadiennes et francophones telles que définies par le CRTC, ou sont en mesure de les obtenir en déployant des efforts raisonnables".

society”²⁴ and to the operation of Canada’s broadcasting system “primarily in the English and French languages”²⁵ while the *Radio Regulations* refer to those “licensed to operate a ... [radio programming] station in the French language”²⁶ The *2022 Commercial Radio Policy* similarly refers to French-language vocal music.²⁷ A search for “francophone” on the *Black’s Online Law Dictionary* returned a list of 15 Francophone countries “where French is the common language”, suggesting that language in country of origin may be an aspect of being Francophone.²⁸ We were unable to find a definition of Francophone in Canadian appellate caselaw but note that the Ontario Court of Appeal in 1991 addressed the concept of unilingual Francophones,²⁹ thereby raising the possibility that Francophones may also be bilingual or multilingual (implying that, in the case of musical selections with lyrics, the language used may not be fully determinative of whether the selection is Francophone).

- 26 Our point is that defining a ‘Francophone’ musical selection may involve more complex considerations than whether a selection’s lyrics are set out – predominantly – in French.
- 27 The complexity of measurement in broadcast regulation is reflected in a report commissioned by the CRTC and published after APEM submitted its Part 1 application. Ipsos’ report on Canadian content workshop discussions in relation to the conceptualization of ‘Canadian’ is dated September 2024. Apart from language itself, Ipsos reported that in discussing Canadian and French-language content, participants addressed ideas with respect to the percentage (a majority) of [current] key creative roles held by Canadians; that ‘most’ creative and financial control would rest with Canadians; that new creative roles would have to address Canadian-ness; the role to be played by ethnicity, values and cultural symbols; numbers of creatives, crew and location as well as language of production; the overall presence of different languages within a service; resources allocated to French-language productions within the broadcasting system and overall presence of French with the audiovisual broadcasting system: Appendix 5.
- 28 To accommodate APEM’s request, the CRTC could stipulate the use at this time of its existing definition of ‘Canadian musical selection’ or, in the case of musical selections for which that information is unavailable, setting out a non-binding, non-determinative³⁰ provisional definition and examples of ‘Francophone’ and ‘non-Canadian musical selections’. In other words, rather than redesigning the CRTC’s MAPL (Music, Artist, Performance and Lyrics) coding system now –

²⁴ [Broadcasting Act](#), s. 2(3)(c)

²⁵ [Broadcasting Act](#), s. 3(1)(b).

²⁶ [Radio Regulations, 1986](#), S.2.2(10).

²⁷ At the *Summary* and ¶¶9 and 378.

²⁸ *Black’s Online Law Dictionary*, “[francophone](#)”:

FRANCOPHONE COUNTRIES

Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Equatorial Guinea, France, Gabon, Cote d’Ivoire, Mali, Niger, Senegal, and Togo are countries where French is the common language.

²⁹ *R. v. Massia (C.A.)*, [1991] O.J. No. 1466 Ont. Ct. of App., 4 O.R. (3d) 705, [1991 CanLII 7381](#).

³⁰ In the sense that the Commission’s use of a provisional definition of non-Canadian would not constitute a long-term determination (at this time) about the definition of Canadian content, as this consultation has not (yet) begun (through the issuance of a notice of consultation).

before it has even announced its Canadian-content-definition proceeding³¹ -- the CRTC could as an interim step use the approach of the OCCQ – counting the “pistes interprétées en français” as ‘Francophone’. It could rely on composers’ nationality in the case of instrumental music.³² Ideally, the criteria used to determine whether a musical selection is Canadian, Francophone or non-Canadian would be forwards- and backwards-compatible so that data collected in the near future are at least partially comparable with data collected once the CRTC has finalized any definitions of key terms in the future.

- 29 FRPC also suggests that consideration be given to distinguishing between Francophone and non-Francophone musical selections: the Commission could, solely as a preliminary step, assume that non-Francophone Canadian selections are in English or other languages; following future consultations it could determine the feasibility of obtaining more specific information about individual musical selections (such as the language predominating in lyrics).

IV. Conclusions and summary of recommendations

- 30 FRPC supports APEM’s request that beginning in Fall 2024 the CRTC collect and publish as quickly as possible quarterly data describing the listening to, discoverability of and showcasing of recommendations about online music streamed in Canada.³³
- 31 According to the tables published on behalf of the CRTC in the federal government’s OpenData system, the CRTC’s data regarding audio, online and/or radio services are at least two (and in one case, five) years old. On the theory that regulatory agility is impaired by out-of-date information, FRPC supports APEM’s proposal that the CRTC begin publishing data on a quarterly rather than on an annual basis.
- 32 As the lack of clear information about the data collected and published by the CRTC unnecessarily complicates use of these data, FRPC recommends that the Commission revise its approach to indexing the data it publishes.
- 33 To address the disparity in information available to parties in the CRTC’s *Regulatory modernization* proceedings, FRPC asks that the Commission convene a meeting of parties including broadcasters, industry associations, unions and guilds, public-interest organizations and academics to discuss the evidence and data needed and available for the CRTC’s broadcasting consultations
- 34 To clarify all parties’ understanding of the data that the CRTC collects and publishes, FRPC also recommends that beginning in 2025 the Commission hold annual meetings of interested parties

³¹ The CRTC’s current (25 September 2024) [Regulatory Plan](#) states that the Commission will hold an audio-content consultation in Spring 2025 “including how to support the industry, support Canadian music, how to define audio content, and what regulatory obligations should exist”, after which it will hold a public hearing.

³² S. 2.2(2)(b) and (c) of the CRTC’s [Radio Regulations, 1986](#) identify an instrumental performance as Canadian when its “music is composed entirely by a Canadian”.

³³ Part 1 Application 2024-0491-1 (Montréal, 27 August 2024) [Application], ¶¶6, 36, 59-60.

to describe and explain the information the CRTC gathers and publishes along with any limitations with respect to the data's reliability and scope.

- 35 APEM filed its application on 27 August 2024 and the Commission published it on 26 September. Given the intervention deadline of 28 October 2024, one may hope that the Commission will find itself in a position to issue its determination about the application before winter officially begins in Canada on 22 December 2024. Whether the Commission adjourns, approves in part, approves in whole, approves a variation of APEM's application, or denies the application altogether,³⁴ FRPC asks that the Commission expedite and issue its determination about APEM's application before 20 December 2024.
- 36 Finally, FRPC notes the absence of a clear definition of "Francophone" in the *Broadcasting Act*, the CRTC's radio regulations and its (in any event, non-binding) current commercial radio policy. FRPC proposes that, as an interim step, the CRTC use language alone to measure whether a musical selection with lyrics is 'Francophone', 'Anglophone' or 'Other' and that it use composers' nationality to determine whether instrumental musical selections are Canadian or non-Canadian.

³⁴ As provided for in sections 10 and 11 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*.



Appendices

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Appendix 1 CRTC's amendments to its Regulatory Plan

Order	Date	Phases	Timing	Consultations ("will" or "may" be held; blue - moved; yellow – added;)
1st	8 May 2023	<i>Regulatory Plan to modernize Canada's broadcasting system</i>		
		Phase 1	Spring 2023	Contributions Registration Exemption orders & basic conditions of service <i>New fund to support public-interest participation in CRTC proceedings</i>
		Phase 2	Fall 2023	Fee regulations
			Winter 2023-2024	<i>Definition of Canadian and Indigenous content Tools to support Canadian music and other audio content Programming and supports for video content on all platforms Local markets access and competition Protecting Canadian consumers</i>
Phase 3	Late 2024	TARGETING LAUNCH – IMPLEMENTING POLICY DECISIONS		
2nd	12 May 2023			
3rd	30 May 2023			
4th	12 June 2023			
5th	12 July 2023			
6th	28 August 2023	Phase 2	Summer/Fall 2023	Fees regulations
7th	8 December 2023	<i>Regulatory Plan to modernize Canada's broadcasting framework</i>		
8th	12 January 2024			
9th	21 March 2024			
10th	6 May 2024	Phase 1	Spring 2023	Contributions Registration Exemption orders & basic conditions of service <i>New fund to support public interest participation in CRTC proceedings</i>
		Phase 2	Summer/Fall 2023	Fees regulations
			Winter 2023-2024	<i>Protecting Canadian consumers</i>
			Spring 2024	Indigenous broadcasting policy Described video and audio description
			Summer 2024	Closed captioning
			Fall 2024	Public interest participation [previously Spring 2023]
Winter 2024-2025	Structural relationships			



Order	Date	Phases	Timing	Consultations (“will” or “may” be held; blue - moved; yellow – added;)
			Spring 2025	Definitions of Canadian audiovisual content [previously Winter 2023/24] Audio content of radio and streaming services [previously Winter 2023/24] News programming
			Winter 2025-2026	Inclusion and diversity
			Spring 2026	CRTC <i>Rules of Practice and Procedure</i>
		Phase 3	Late 2025	TARGETING LAUNCH [Now precedes two consultations in 2026]
11th	7 May 2024			
12th	4 June 2024			
13th	5 June 2024			
14th	1 August 2024	Phase 2	Summer/Fall 2023	Fees regulations
			Spring 2024	Indigenous broadcasting policy Described video and audio description
			Summer 2024	Closed captioning Described video and audio description Independent Local News Fund Official Language Minority Communities
			Fall 2024	Public interest participation Financial support for commercial radio local news production
			Winter 2024-2025	Structural relationships
			Spring 2025	Definitions of Canadian audiovisual content Audio content of radio and streaming services News programming
			Winter 2025-2026	Inclusion and diversity
			Spring 2026	CRTC <i>Rules of Practice and Procedure</i>
		Phase 3	Late 2025	TARGETING LAUNCH
15th	29 August 2024			
16th	10 September 2024			
17th	17 September 2024			
18th	25 September 2024			

Note: the absence of references to sections that have been moved or added does not mean that such changes did not occur, but reflects instead the CRTC’s practice of not identifying specifically how it has changed its *Regulatory Plan* on the date such amendments are published.

Appendix 2 CRTC has no data regarding dates when broadcasting applications are received and when they are published



Conseil de la radiodiffusion et des
télécommunications canadiennes Canadian Radio-television and
Telecommunications Commission

Access to Information and Privacy Office (ATIP)
Ottawa, ON K1A 0N2

Our File
A-2024-00052 / GST

Ms. Monica Auer

...

Dear Monica Auer:

This is further to your request that was received in this office on September 16, 2024. We note that, pursuant to the *Access to Information Act* (ATIA), you wish to obtain the following information:

“Re: Application dates The CRTC’s Telecommunications Applications Report (<https://applications.crtc.gc.ca/DemTelAppl/Default-Default.aspx?Lang=eng>) lists applications and the date of the applications. Please provide a machine-readable list that is not in a PDF format but in either a Word table or a spreadsheet, of each broadcasting application decided by the CRTC from 1 January 2000 to 31 August 2024, the date of the application and the CRTC decision number (or reference). Thank you.”

We regret to inform you that a search of the records under the control of the Canadian Radio-television and Telecommunications Commission has revealed none relating to the subject of your request under the *Access to Information Act* (ATIA).

The Access to Information Act creates the right of access to information in existing records. It is not necessary for an institution to create a record in order to respond to a request. Furthermore, section 6 of the Act states that a request for access must provide sufficient detail to enable an experienced employee of the Department with a reasonable effort to identify the relevant records.

However, you may be interested in the information that is housed on our external website. It includes much of the information although not all grouped together in one report as you requested. The information can be found at <https://applications.crtc.gc.ca/demradbroadappl/Default-Default.aspx>.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within 60 days after the day that you become aware that grounds for a complaint exist.



In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Office of the Information Commissioner
30 Victoria Street, 7th Floor
Gatineau, QC K1A 1H3

You may obtain additional information on the complaint process by visiting the website of the Office of the Information Commissioner at www.oic-ci.gc.ca.

This completes our processing of your request. Should you have any questions or concerns about your request, do not hesitate to contact Geneviève St-Georges by e-mail at AIPRP-ATIP@crtc.gc.ca.

Yours sincerely,

...

ATIP Coordinator

Appendix 3 110 CRTC datasets on OpenData regarding “Audio”, “Online” or “Radio” data

110 CRTC datasets available through OpenData and returned in response to searches for “Audio”, “Online” and “Radio”:

Sort	Filter	Workbook name	Tab name
1	Radio	Data - Broadcasting sector	B-T1
2		Data - Broadcasting sector	B-T2
3		Data - Broadcasting sector	B-T3
4		Data - Broadcasting sector	B-T4
5		Data - Broadcasting sector	B-T10
6		Data - Broadcasting sector	B-T11
7		Data - Broadcasting sector	B-T12
8		Data - Broadcasting sector	B-T13
9		Data - Broadcasting sector	B-T30
10		Data - Broadcasting sector	B-T31
11		Data - Broadcasting sector	B-T32
12		Data - Broadcasting sector	B-T33
13		Data - Broadcasting sector	B-T34
14		Data - Broadcasting sector	B-T35
15		Data - Broadcasting sector	B-T36
16		Data - Broadcasting sector	B-T38
17		Data - Broadcasting sector	B-T39
18		Data - Broadcasting sector	B-T40
19		Data - Broadcasting sector	B-T41
20		Data - Broadcasting sector	B-T42
21		Data - Comms overview	M-F3
22		Data - Comms overview	M-F4
23		Data - Radio	RD-T1
24		Data - Radio	RD-T2
25		Data - Radio	RD-T3
26		Data - Radio	RD-T4
27		Data - Radio	RD-T5
28		Data - Radio	RD-T6
29		Data - Radio	RD-T7
30		Data - Radio	RD-T8
31		Data - Radio	RD-T9
32		Data - Radio	RD-T10
33		Data - Radio	RD-T11
34		Data - Radio	RD-T12
35		Data - Radio	RD-T13
36		Data - Radio	RD-T14
37		Data - Radio	RD-T15
38		Data - Radio	RD-T16
39		Data - Radio	RD-T17
40		Data - Radio	RD-T18
41		Data - Radio	RD-T19
42		Data - Radio	RD-T20
43		Data - Radio	RD-T21
44		Data - Radio	RD-T22



Sort	Filter	Workbook name	Tab name
45		Data - Radio	RD-T23
46		Data - Radio	RD-T24
47		Data - Radio	RD-T25
48		Data - Radio	RD-T26
49		Data - Radio	RD-T27
50		Data - Broadcasting sector	B-T14
51		Data - Broadcasting sector	B-T15
52		Data - Broadcasting sector	B-T16
53		Data - Broadcasting sector	B-T17
54		Data - Broadcasting sector	B-T19
55		Data - Broadcasting sector	B-T20
56		Data - Broadcasting sector	B-T21
57		Data - Canadian Gross Agency Ad Spend	Gross Ad Spend
58		Data - Radio	RD-T28
59		Data - Radio	RD-T29
60		Data - Broadcasting sector	B-T44
61	Audio	Data - Broadcasting sector	B-T4
62		Data - Radio	RD-T1
63		Data - Radio	RD-T2
64		Data - Radio	RD-T3
65		Data - Radio	RD-T4
66		Data - Radio	RD-T5
67		Data - Radio	RD-T6
68		Data - Radio	RD-T7
69		Data - Radio	RD-T8
70		Data - Radio	RD-T9
71		Data - Radio	RD-T10
72		Data - Radio	RD-T11
73		Data - Radio	RD-T12
74		Data - Radio	RD-T13
75		Data - Radio	RD-T14
76		Data - Radio	RD-T15
77		Data - Radio	RD-T16
78		Data - Radio	RD-T17
79		Data - Radio	RD-T18
80		Data - Radio	RD-T19
81		Data - Radio	RD-T20
82		Data - Radio	RD-T21
83		Data - Radio	RD-T22
84		Data - Radio	RD-T23
85		Data - Radio	RD-T24
86		Data - Radio	RD-T25
87		Data - Radio	RD-T26
88		Data - Retail mobile	MB-F20
89		Data - Retail mobile	MB-F21
90		Data - Broadcasting sector	B-T15
91		Data - Broadcasting sector	B-T43
92		Data - Radio	RD-T29
93		Data - Broadcasting sector	B-T46



Sort	Filter	Workbook name	Tab name
94		Data - BDU	U-T2
95		Data - BDU	U-T3
96		Data - BDU	U-T4
97		Data - Radio	RD-T1
98		Data - Radio	RD-T2
99		Data - Radio	RD-T5
100		Data - Retail mobile	MB-F20
101		Data - Retail mobile	MB-F21
102		Data - TV	TV-T2
103		Data - TV	TV-T9
104		Data - TV	TV-T10
105		Data - TV	TV-T11
106		Data - TV	TV-T12
107		Data - TV	TV-T13
108		Data - TV	TV-T21
109		Data - TV	TV-T25
110		Data - Broadcasting sector	B-T45

Appendix 4 76 CRTC datasets on OpenData regarding “Audio”, “Online” or “Radio” data once duplicate values removed

Once duplicate tables are removed, OpenData lists 76 tables related to “audio”, “online” and/or “radio”:

Filter	Tab name	Topic	Title	# of years	Beginning and end of data
Audio	B-T43	Financial	Digital Media Broadcasting Undertakings Revenues (millions)	3	2021 to 2022
Audio	B-T46	Tuning	Average Weekly Hours per Week (in millions) spent watching traditional and DMBU audiovisual services	2	2021 to 2022
Audio & Online	MB-F20	Behaviour - device use	Popular Internet and mobile activities performed by Canadians on their smartphone (%)	7	2016 to 2022
Audio & Online	MB-F21	Behaviour - device use	Popular Internet and mobile activities performed by Canadians on their tablet (%)	7	2016 to 2022
Online	TV-T10	Financial	Estimated revenues in Canada of SVOD services (\$ million)	6	2018 to 2022
Online	TV-T11	Financial	Estimated revenues in Canada of TVOD services (\$ million)	6	2018 to 2022
Online	TV-T12	Financial	Estimated revenues in Canada of AVOD services (\$ million)	6	2018 to 2022
Online	TV-T13	Financial	Estimated revenues in Canada of AVOD services by platform (\$ million)	6	2016 to 2022
Online	TV-T9	Financial	Internet-based video services estimated revenues in Canada, by business model (\$ million)	10	2014 to 2022
Online	TV-T21	Structure	Overview of Internet-based video services	5	2018 to 2022
Online	TV-T25	Subscription	Composition of household television subscription type by language market	6	2017 to 2022
Online	U-T2	Subscription	Percentage of households subscribing to BDU services vs Canadians watching television exclusively online vs Canadians watching television on any platform	9	2014 to 2022
Online	TV-T2	Tuning	Percentage of Canadians 18+ who viewed television and Internet-based video services and programming in the past month, by language and platform	5	2018 to 2022
Online	U-T3	Tuning	Percentage of Canadians 18+ who watched television exclusively online, nationally and by language	11	2012 to 2022
Online	U-T4	Tuning	Percentage of Canadians 18+ who watched television exclusively online, by age group	9	2014 to 2022
Online	B-T45	Tuning to news	Online news consumer habits (%) for Francophone and Anglophone Canadians, 18+	12	2011 to 2022
Radio	Gross Ad Spend	Advertising	Canadian Gross Agency Ad Spend	6	2018 to 2023
Radio	B-T10	Financial	Distribution of total broadcasting revenues (\$ million)	8	2015 to 2022
Radio	B-T11	Financial	Revenue distribution by region (\$ millions)	9	2014 to 2022
Radio	B-T13	Financial	Share of revenues generated by broadcasting entities by number of sectors where service is offered	8	2015 to 2022
Radio	B-T14	Financial	Government assistance received as a percentage of revenues	3	2020 to 2022
Radio	B-T16	Financial	Profit margin for commercial radio by entity size	4	2019 to 2022
Radio	B-T17	Financial	Aggregate revenues of commercial radio by language (\$ millions)	7	2016 to 2022

Filter	Tab name	Topic	Title	# of years	Beginning and end of data
Radio	B-T20	Financial	Year-over-year revenue growth by region - Commercial radio stations	7	2016 to 2022
Radio	B-T21	Financial	Total revenues by source - Commercial radio stations (\$ millions)	7	2016 to 2022
Radio	B-T31	Financial	Overview of radio, television and broadcasting distribution revenues, growth and PBIT/operating margin	9	2014 to 2022
Radio	B-T32	Financial	Commercial radio overview	5	2018 to 2022
Radio	B-T34	Financial	Broadcasting revenues (\$ millions)	10	2013 to 2022
Radio	B-T35	Financial	Percent (%) of total broadcasting revenues, by ownership groups	8	2015 to 2022
Radio	B-T36	Financial	Percentage (%) of total commercial radio revenues by broadcaster	6	2017 to 2022
Radio	B-T38	Financial	Total broadcasting revenues by type of service (\$ billion)	10	2013 to 2022
Radio	B-T39	Financial	PBIT/EBITDA margins by type of service (%)	10	2013 to 2022
Radio	B-T41	Financial	Revenues (\$ million) of commercial radio stations, by radio market type	10	2013 to 2022
Radio	B-T42	Financial	CBC/SRC conventional television revenues (\$ million)	10	2013 to 2022
Radio	M-F3	Financial	Distribution of communications revenues (\$ billion)	1	2019 to 2019
Radio	RD-T9	Financial	French- and English-language radio revenues and number of undertakings reporting for the largest commercial radio operators in Canada	8	2015 to 2022
Radio	B-T2	Financial support	Revenues and contributions by major ownership group, by sector	4	2019 to 2022
Radio	B-T3	Financial support	Contributions to Canadian Content (\$ millions)	9	2014 to 2022
Radio	B-T30	Financial support	Overview of broadcasting revenues and contributions to Canadian content (\$ millions)	9	2014 to 2022
Radio	B-T40	Financial support	Contributions to Canadian content by source and share of total (\$ million)	14	2009 to 2022
Radio	B-T1	Structure	Overview of industry characteristics	4	2019 to 2022
Radio	B-T12	Structure	Number and share of broadcasting entities by number of sectors where service is offered	8	2015 to 2022
Radio	B-T33	Structure	Radio ownership market composition	5	2018 to 2022
Radio	B-T44	Structure	Number of traditional ethnic radio and television stations in Canada	5	2018 to 2022
Radio	M-F4	Structure	Communications revenues by type and service provider (\$ billion)	6	2014 to 2019
Radio	B-T19	Tuning	Radio tuning (millions of hours) in home vs. out of home	7	2016 to 2022
Radio & Audio	B-T4	Financial	Overview of Internet-based audio and television services (estimated revenues)	5	2018 to 2022
Radio & Audio	RD-T4	Financial	Non-commercial radio overview	5	2018 to 2022
Radio & Audio	RD-T16	Financial support	Summary of annual CCD contributions reported by radio station licensees (\$ thousands)	11	2012 to 2022
Radio & Audio	RD-T17	Financial support	Annual CCD contributions reported by Basic CCD Contributions (\$ thousands)	8	2015 to 2022

Filter	Tab name	Topic	Title	# of years	Beginning and end of data
Radio & Audio	RD-T18	Financial support	Annual CCD contributions reported by Over and Above CCD Contributions (\$ thousands)	8	2015 to 2022
Radio & Audio	RD-T19	Financial support	Annual CCD contributions reported by new radio station licensees during the first licence term (\$ thousands)	11	2012 to 2022
Radio & Audio	RD-T20	Financial support	Annual CCD contributions reported by radio licensees in the context of licence renewals (\$ thousands)	11	2012 to 2022
Radio & Audio	RD-T21	Financial support	Annual CCD contributions reported by radio licensees in the context of changes in ownership and control (\$ thousands)	11	2012 to 2022
Radio & Audio	RD-T22	Financial support	Contributions to Canadian content development by type (\$ millions)	14	2009 to 2022
Radio & Audio	RD-T3	Ownership	Number of radio ownership transactions, the value of those transactions (\$ million) and the resulting tangible benefits (\$ million), by language of service	9	2014 to 2022
Radio & Audio	RD-T23	Structure	Types of radio and audio services authorized to broadcast in Canada, as a percentage of all such services	4	2019 to 2022
Radio & Audio	RD-T24	Structure	Number of radio transmitters (including rebroadcasting transmitters), serving the OLM population in Canada by type of service	5	2018 to 2022
Radio & Audio	RD-T25	Structure	Radio transmitters serving the OLM population (stations and rebroadcasting transmitters) per province as a percentage of all radio transmitters, and percentage of OLM population as a percentage of total population, for each province and territory, and for Canada as a whole	5	2018 to 2022
Radio & Audio	RD-T26	Structure	Number of Indigenous authorized to broadcast over-the-air in Canada, by province and language of broadcast	4	2018 to 2022
Radio & Audio	RD-T6	Structure	Type and number of radio services and audio services authorized to broadcast in Canada, by language of broadcast	6	2017 to 2022
Radio & Audio	RD-T7	Structure	Number of public/community-based and private radio services authorized to broadcast over-the-air in Canada, by province and language of broadcast	5	2018 to 2022
Radio & Audio	RD-T8	Structure	Number of new over-the-air radio stations licensed by the Commission by language of service, licence category, type of service, and licensing process	9	2014 to 2022
Radio & Audio	RD-T8	Structure	Number of new over-the-air radio stations licensed by the Commission by language of service, licence category, type of service, and licensing process	9	2014 to 2022
Radio & Audio	B-T15	Tuning	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+	7	2016 to 2022
Radio & Audio	RD-T10	Tuning	Average weekly hours of radio tuned per capita by age group for all Canada	10	2013 to 2022
Radio & Audio	RD-T11	Tuning	Radio tuning share (%) in an average week for French- and English-language AM and FM stations	10	2013 to 2022
Radio & Audio	RD-T12	Tuning	Average weekly hours tuned (per listener, total)	10	2013 to 2022
Radio &	RD-T13	Tuning	Tuning (millions of hours) and tuning share (%)	8	2015 to 2022

Filter	Tab name	Topic	Title	# of years	Beginning and end of data
Audio			achieved by the largest French-language private commercial radio operators in Canada in an average week		
Radio & Audio	RD-T14	Tuning	Tuning (millions of hours) and tuning share (%) achieved by the largest English-language private commercial radio operators in Canada in an average week	8	2015 to 2022
Radio & Audio	RD-T15	Tuning	Radio tuning (%) by station type in diary markets	5	2018 to 2022
Radio & Audio	RD-T27	Tuning	Radio tuning (millions of hours) in home vs. out of home	6	2016 to 2022
Radio & Audio	RD-T29	Tuning	Average weekly hours spent streaming audio content, 18+	6	2017 to 2022
Radio & Audio & Online	RD-T5	Financial	Internet-based audio services reported revenue	9	2014 to 2022
Radio & Audio & Online	RD-T1	Tuning	Average weekly hours of tuning in to traditional radio vs listening to streamed audio services, by Canadians 18+	10	2013 to 2022
Radio & Audio & Online	RD-T2	Tuning	Listening habits (%) for Canadians 18+ by language and platform, any given month	4	2017 to 2022

Appendix 5 September 2024 workshop conceptualization of ‘Canadian’

Ipsos, [Defining Canadian Content – Workshops with Stakeholders and Industry: What We Heard Report](#) (Toronto, September 2024)

Cultural elements: What makes it “Canadian”

Participants generally agreed that what makes a production “Canadian” is the direct result of having a majority of Canadians holding the key creative roles in a production (which gives most of the creative and financial control to Canadians). Also, there was support among some participants for an expanded list of creative roles that could be included in a new definition, some of which include visual effects (VFX) director, costume designer or make-up artist. When questioned on adding specific cultural elements to the definition, participants were mostly of the view that it would be challenging. They worried that trying to identify a set of cultural elements (e.g. ethnicity, values, cultural symbols) to be included within the definition would introduce subjectivity in the process and could stifle creativity. They also feared that it would add a bureaucratic burden to a certification process that some believe is already overly complex.

...

Language as a determinant of Canadian culture

Interestingly, francophone participants generally were of the view that complying with the current definition of CanCon was perhaps somewhat easier for them. French-language productions tend to be inherently Canadian as their creatives, crew and location are usually Canadian.

Most readily acknowledged the fundamental importance of both of Canada’s official languages as part of CanCon considerations. French speaking participants made a point of emphasising that ensuring a continued strong French-language presence on Canadian services was of fundamental importance. This was highlighted by French-language OLMC participants. These creators state that they are struggling to obtain resources within the current system and already feel isolated and feared that efforts to adapt the existing definitions and include new players could end up further diminishing OLMC creators and producers’ access to limited resources.

Many expressed concern that including such cultural elements in an updated CanCon definition could lead to uneasy discussions about which groups could be considered “more” or “less” Canadian. Francophone participants, whether in Quebec or those living as a part of an OLMC, were concerned that adding cultural elements to a revamped definition could dilute the importance of the French language in the Canadian audiovisual broadcasting system.

Issues raised in connection with the concept of ‘Canadian’

Majority of [existing] key creative roles
Most creative and financial control
New creative roles

Cultural elements such as ethnicity, values and cultural symbols

Creatives, crew and location in French-language productions

Strong presence of French on Canadian services

Resources

Importance of French language within the audiovisual broadcasting system



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